

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

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of

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Complete if Known

Application Number	10/721,020
Filing Date	November 25, 2003
First Named Inventor	Lukas-Laskey et al.
Art Unit	1614
Examiner Name	K. Weddington
Attorney Docket Number	04012.0385-00000

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

Examiner Initials	Cite No. ¹	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
W		US-4,888,179	12-19-1989	APPLEGREN	
		US-5,312,828	05-17-1994	FINKEISTEIN	
		US-5,308,862	05-03-1994	OHLSTEIN	
		US-4,503,067	05-05-1985	WIEDEMANN	
		US-5,760,069	06-02-1998	LUKAS-LASKEY et al.	
W		US-5,902,821	05-11-1999	LUKAS-LASKEY et al.	

Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004**FOREIGN PATENT DOCUMENTS**

Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation ⁸
		Country Code ³ Number ⁴ Kind Code ⁶ (if known)				
W		CA 1,259,071	09-05-1989	BOEHRINGER MANNHEIM GMBH		
		EP 0 808 162 B1	11-26-1997	BOEHRINGER MANNHEIM PHARM CORP (US)		
W		DE 696 02 424 T2	11-26-1997	BOEHRINGER MANNHEIM PHARM CORP (US)		Yes

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁸

Examiner Signature	<i>W. Weddington</i>	Date Considered	4-22-05
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NON PATENT LITERATURE DOCUMENTS


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W	1.	Swedberg, Karl et al., "Prolongation of Survival in Congestive Cardiomyopathy by Beta-Receptor Blockade," Lancet 1374-1376 (June 30, 1979)	
	2.	Prichard, B.N.C. and Tomlinson, B., "Choice of Antihypertensive Drug Therapy," Am Heart J; 114 (4): 1030-40 (October 1987)	
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15.	Feuerstein, G.Z. et al., "Myocardial protection with Carvedilol," J Cardiovasc Pharmacol, Vol. 19, Suppl. 1, pages S138-41 (1992)	
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92.	Spomer, G., et al., "Pharmacological profile of β -adrenoceptor blockers with vasodilating properties, especially Carvedilol - rationale for clinical use," Clin. Investig., 70, S20-S26 (1992)	
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99.	Packer, M., "Effect of Carvedilol on Survival in Severe Chronic Heart Failure," New England J. Med., 344(22), 1651-1658 (May 31, 2001)	
100.	Judgment, German Federal Republic Judgment nullity action 3 Ni 44/00 relating to DE 696 02 424 (EP 0 808 162), Egis Gyogyszergyar RT v. F. Hoffmann-La Roche AG (September 18, 2001) (English language translation)	
101.	Defendant's Answer to Summons of July 6, 2001, German Federal Republic nullity action 3 Ni 44/00 relating to DE 696 02 424 (EP 0 808 162), Egis Gyogyszergyar RT v. Hoffmann-La Roche AG (August 23, 2001) (English language translation)	
102.	Plaintiff's Brief, German Federal Republic nullity action 3 Ni 44/00 relating to DE 696 02 424 (EP 0 808 162), Egis Gyogyszergyar RT v. Boehringer Hoffmann-La Roche AG (August 7, 2001) (English language translation)	

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
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103.	Substantiation of Opposition of Sept. 21, 2000, German Federal Republic nullity action 3 Ni 44/00 relating to DE 696 02 424 (EP 0 808 162), Egis Gyogyszergyar RT v. Boehringer Hoffmann-La Roche AG (Dec. 8, 2000) (English language translation)	
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107.	Official Action, German Patent Office, Application No. P. 195 03 995.5-41 (August 17, 1995).	
108.	Official Action, German Patent Office, Application No. P. 195 03 995.5-41 (November 7, 1995).	
109.	Affidavit of Dr. William T. Abraham (March 8, 2002), filed in Hoffmann-La Roche Ltd and Smithkline Beecham Corp. v. Minister of Health and Novopharm Ltd., Court No. T-84-02, Federal Court, Trial Division (Canada), further including: <u>Exhibit A</u> : Curriculum Vitae of Dr. William T. Abraham, <u>Exhibit B</u> : Novopharm, Notice of Allegation and Detailed Statement- Carvedilol 3.125 mg, 6.25 mg, 12.5 mg, and 25 mg Tablets (Nov. 28, 2001), <u>Exhibit C</u> : Canadian Patent Number 2,212,548, <u>Exhibit D</u> : Glossary of Terms, and <u>Exhibit E</u> : Commentary of Remaining Prior Art in Appendices A & B of the Novopharm Notice of Allegation.	
110.	Affidavit of Dr. Mark Lautens (March 8, 2002), filed in Hoffmann-La Roche Ltd and Smithkline Beecham Corp. v. Minister of Health and Novopharm Ltd., Court No. T-84-02, Federal Court, Trial Division (Canada), further including: <u>Exhibit A</u> : Curriculum Vitae of Dr. Mark Lautens, <u>Exhibit B</u> : Novopharm, Notice of Allegation and Detailed Statement- Carvedilol 3.125 mg, 6.25 mg, 12.5 mg, and 25 mg Tablets (Nov. 28, 2001), and <u>Exhibit C</u> : Canadian Patent Number 1,259,071.	

Examiner Signature		Date Considered	4-22-05
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				Examiner Name	K. Weddington
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111.		Affidavit of Edwin J. Gale (March 8, 2002), filed in Hoffmann-La Roche Ltd and Smithkline Beecham Corp. v. Minister of Health and Novopharm Ltd., Court No. T-84-02, Federal Court, Trial Division (Canada), further including: <u>Exhibit A</u> : Canadian Patent Number 2,212,548, <u>Exhibit B</u> : Novopharm, Notice of Allegation and Detailed Statement- Carvedilol 3.125 mg, 6.25 mg, 12.5 mg, and 25 mg Tablets (Nov. 28, 2001), <u>Exhibit C</u> : Chart of Claim Types and Allowability in Canada, <u>Exhibit D</u> : Notice concerning acceptable claim types, Canadian Patent Office Record (May 9, 1989), <u>Exhibit E</u> : Canadian Patent Office Manual of Patent Office Practice, §§ 11.10 - 11.10.02 (March 1998), and <u>Exhibit F</u> : Chart of Claims of Canadian Patent Number 2,212,548, with claims grouped by type.
		Affidavit of Dr. Nadia S. Giannetti (March 8, 2002), filed in Hoffmann-La Roche Ltd and Smithkline Beecham Corp. v. Minister of Health and Novopharm Ltd., Court No. T-84-02, Federal Court, Trial Division (Canada), further including: <u>Exhibit 1</u> : Curriculum Vitae of Dr. Nadia S. Giannetti, <u>Exhibit 2</u> : Novopharm, Notice of Allegation and Detailed Statement- Carvedilol 3.125 mg, 6.25 mg, 12.5 mg, and 25 mg Tablets (Nov. 28, 2001), <u>Exhibit 3</u> : Canadian Patent Number 2,212,548, <u>Exhibit 4</u> : Chart of Articles and Patents, <u>Exhibit 5</u> : Letter of February 18, 2002, from Nika V. Ketis, Ph.D., LL.B. (Heenan Blaikie LLP) to Judith Robinson (Ogilvy Renault) regarding Case T-84-02.

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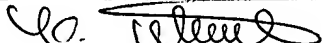
	113.	<p>Affidavit of Dr. John Parker (March 11, 2002), filed in Hoffmann-La Roche Ltd. and Smithkline Beecham Corp. v. Minister of Health and Novopharm Ltd., Court No. T-84-02, Federal Court, Trial Division (Canada), further including:</p> <p><u>Exhibit A</u>: Curriculum Vitae of Dr. John Parker,</p> <p><u>Exhibit B</u>: Novopharm, Notice of Allegation and Detailed Statement- Carvedilol 3.125 mg, 6.25 mg, 12.5 mg, and 25 mg Tablets (Nov. 28, 2001),</p> <p><u>Exhibit C</u>: Canadian Patent Number 2,212,548,</p> <p><u>Exhibit D</u>: Glossary of Terms,</p> <p><u>Exhibit E</u>: Packer, M., et al., "The Effect of Carvedilol on Morbidity and Mortality in Patients with Chronic Heart Failure," New England J. Med. 334(21), 1349-1355 (May 23, 1996),</p> <p><u>Exhibit F</u>: Waagstein, F., "Beneficial Effects of Metoprolol in Idiopathic Dilated Cardiomyopathy," Lancet, 342, 1441-1446 (Dec. 11, 1993),</p> <p><u>Exhibit G</u>: CIBIS Investigators and Committees, "A Randomized Trial of β-Blockade in Heart Failure," Circulation, 90(4), 1765-1773 (Oct. 1994),</p> <p><u>Exhibit H</u>: Pfeffer, M.A., et al., "β-Adrenergic Blockers and Survival in Heart Failure," New England J. Med. 334(21), 1396-97 (May 23, 1996),</p> <p><u>Exhibit I</u>: Packer, M., "Effect of Carvedilol on Survival in Severe Chronic Heart Failure," New England J. Med., 344(22), 1651-1658 (May 31, 2001),</p> <p><u>Exhibit J</u>: Beta-Blocker Evaluation of Survival Trial Investigators, "A Trial of the Beta-Blocker Bucindolol in Patients with Advanced Chronic Heart Failure," New England J. Med. 344(22), 1659-1667 (May 31, 2001), and</p> <p><u>Exhibit K</u>: Commentary on Remaining Prior Art in Appendices A & B of the Novopharm Notice of Allegation.</p>	
	114.	<p>Affidavit of Dr. Ian Winterborn (March 11, 2002), filed in Hoffmann-La Roche Ltd and Smithkline Beecham Corp. v. Minister of Health and Novopharm Ltd., Court No. T-84-02, Federal Court, Trial Division (Canada), further including</p> <p><u>Exhibit A</u>: Curriculum Vitae for Dr. Ian Winterborn,</p> <p><u>Exhibit B</u>: Novopharm, Notice of Allegation and Detailed Statement- Carvedilol 3.125 mg, 6.25 mg, 12.5 mg, and 25 mg Tablets (Nov. 28, 2001),</p> <p><u>Exhibit C</u>: Notice of Application, Hoffmann-La Roche Ltd and Smithkline Beecham Corp. v. Minister of Health and Novopharm Ltd., Court No. T-84-02, Federal Court, Trial Division (Canada) (Jan. 16, 2002),</p> <p><u>Exhibit D</u>: Canadian Patent Number 2,212,548,</p> <p><u>Exhibit E</u>: Canadian Patent Number 1,259,071,</p> <p><u>Exhibit F</u>: Canadian Patent Number 1,129,416, and</p> <p><u>Exhibit G</u>: United States Patent Number: 4,503,067.</p>	

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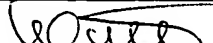
KW	115.	<p>Affidavit of Dr. Mary Ann Lukas (March 7, 2002), filed in Hoffmann-La Roche Ltd and Smithkline Beecham Corp. v. Minister of Health and Novopharm Ltd., Court No. T-84-02, Federal Court, Trial Division (Canada), further including:</p> <p><u>Exhibit A</u>: Curriculum Vitae for Dr. Mary Ann Lukas,</p> <p><u>Exhibit B</u>: Canadian Patent Number 2,212,548,</p> <p><u>Exhibit C</u>: German Patent Application No. 195 03 995.5 (PCT/EP 96/00498),</p> <p><u>Exhibit D</u>: English Translation of German Patent Application No. 195 03 995.5 (PCT/EP 96/00498),</p> <p><u>Exhibit E</u>: U.S. Patent Application Number 08/483,635,</p> <p><u>Exhibit F</u>: Novopharm, Notice of Allegation and Detailed Statement- Carvedilol 3.125 mg, 6.25 mg, 12.5 mg, and 25 mg Tablets (Nov. 28, 2001),</p> <p><u>Exhibit G</u>: Loeg, H.S., et al., "Effect of Enalapril, Hyralazine Plus Isosorbide Dinitrate, and Prazosin on Hospitalization in Patients with Chronic Congestive Heart Failure," Circulation 87(6), VI78 - VI87 (June 1993),</p> <p><u>Exhibit H</u>: DiBianco, R., et al., "A Comparison of Oral Milrinone, Digoxin, and Their Combination in the Treatment of Patients with Chronic Heart Failure," New England J. Med., 320(11), 677-683 (March 1989)</p> <p><u>Exhibit I</u>: Packer, M., et al., "Effect of Oral Milrinone on Mortality in Severe Chronic Heart Failure," New England J. Med. 325(21), 1468-75 (Nov. 21, 1991),</p> <p><u>Exhibit J</u>: Feldman, A.M., et al., "Effects of Vesnarinone on Morbidity and Mortality in Patients with Heart Failure," New England J. Med., 329(3), 149-155 (July 15, 1993)</p> <p><u>Exhibit K</u>: Kamoterol in severe heart failure study group, "Xamoterol in Severe Heart Failure," Lancet, 336, 1-6 (July 7, 1990),</p> <p><u>Exhibit L</u>: Waagstein, F., et al., "Beneficial Effects of Metoprolol in Idiopathic Dilated Cardiomyopathy," Lancet 342, 1441- 1446 (Dec. 11, 1993),</p> <p><u>Exhibit M</u>: CIBIS Investigators and Committees, "A Randomized Trial of β-Blockade in Heart Failure," Circulation, 90(4), 1765-1773 (Oct. 1994),</p> <p><u>Exhibit N</u>: Packer, M., et al., "The Effect of Carvedilol on Morbidity and Morality in Patients with Chronic Heart Failure," New England J. Med. 334(21), 1349-1355 (May 23, 1996),</p> <p><u>Exhibit O</u>: Pfeffer, M.A., et al., "β-Adrenergic Blockers and Survival in Heart Failure," New England J. Med. 334(21), 1396-97 (May 23, 1996),</p> <p><u>Exhibit P</u>: Packer, M., "Effect of Carvedilol on Survival in Severe Chronic Heart Failure," New England J. Med., 344(22), 1651-1658 (May 31, 2002), and</p> <p><u>Exhibit Q</u>: Commentary on Remaining Prior Art in Appendices A and B of the Novopharm Notice of Allegation.</p>	
	116.	<p>Respondent's Record (Pharmascience Inc.) Volume I of III filed in GlaxoSmithKline Inc., and Smithkline Beecham Corporation v. The Minister of Health, and Pharmascience Inc., Court File No. T-1871-01 (Canada), containing an index and:</p> <p><u>Exhibit A</u>: Exhibits to cross-examination of Dr. William T. Abraham taken on June 4, 2002. "77th Cardiovascular and Renal Drugs Advisory Committee meeting dated May 2, 1996," pp. 1-356.</p>	

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CO	117.	Respondent's Record (Pharmascience Inc.) Volume II of III filed in GlaxoSmithKline Inc., and Smithkline Beecham Corporation v. The Minister of Health and Pharmascience Inc., Court File No. T-1871-01 (Canada), containing an Index and: Continuation of <u>Exhibit A</u> to Dr. William T. Abraham's cross-examination (pp. 357-572) <u>Exhibit B</u> : Exhibits to cross-examination of Dr. Nadia S. Giannetti taken on June 21, 2002. "Study regarding sauna induced myocardial ischemia in patients with coronary artery disease," pp. 573-578. <u>Exhibit C</u> : Exhibits to cross-examination of Dr. Mary Ann Lukas taken on July 12, 2002. 1) Precise Trial Documentation, pp. 579-752 and 2) CPS Coreg Reference, pp. 753-756.	
Kc	118.	Respondent's Record (Pharmascience Inc.) Volume III of III filed in GlaxoSmithKline Inc., and Smithkline Beecham Corporation v. The Minister of Health and Pharmascience Inc., Court File No. T-1871-01 (Canada), containing an index and: <u>Exhibit D</u> : Memorandum of Fact and Law, pp. 757-802. Appendix A ("Anticipation by Kelly") to Respondent's Memorandum Fact and Law, pp. 788-801.	

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	119.	<p>Applicants' Record Volume 1 of 6 filed in GlaxoSmithKline Inc., and Smithkline Beecham Corporation v. The Minister of Health and Pharmascience Inc., Court No. T-1871-00 (Canada), containing an Index and:</p> <p><u>Exhibit A</u>: Pharmascience Inc. Notice of Allegation dated August 30, 2001, pp. 1-11; <u>Exhibit B</u>: Notice of Application issued October 18, 2001 (Canada, Federal Court-Trial Division, Court No. 1871-01), pp. 12-27; <u>Exhibit C</u>: Pharmascience Inc. Notice of Appearance dated October 26, 2001 (Canada, Federal Court-Trial Division, Court No. 1871-01), pp. 28-31; <u>Exhibit D</u>: Order of Prothonotary Lafrenière dated December 13, 2001 (Canada, Federal Court-Trial Division, Court No. 1871-01), pp. 32-35; <u>Exhibit E</u>: Order of Prothonotary Lafrenière dated March 7, 2002 (Canada, Federal Court-Trial Division, Court No. 1871-01), pp. 36-39; <u>Exhibit F</u>: Order of Prothonotary Lafrenière dated June 11, 2002 (Canada, Federal Court-Trial Division, Court No. 1871-01), pp. 40-44; <u>Exhibit G</u>: Confidentiality Order of Prothonotary Lafrenière dated August 2, 2002 (Canada, Federal Court-Trial Division, Court No. 1871-01), pp. 45-55; <u>Exhibit H</u>: Affidavit of Dr. William T. Abraham sworn January 29, 2002 (Canada, Federal Court-Trial Division, Court No. 1871-01), pp. 56-96, further including: <u>Exhibit A</u>: Curriculum vitae, pp. 97-142; <u>Exhibit B</u>: Notice of Allegation, pp. 143-154; <u>Exhibit C</u>: Canadian Letters Patent No. 2,212,548, pp. 155-186; <u>Exhibit D</u>: Glossary of medical terms, pp. 187-193; <u>Exhibit E</u>: Further commentary on prior art, pp. 194-209; <u>Exhibit I</u>: Transcript of cross-examination of Dr. Abraham taken on June 4, 2002 (Canada, Federal Court-Trial Division, Court No. 1871-01), pp. 210-350, further including Exhibit 1 (Vogel et al., 24 Am. J. Cardiology 198-207 (1969)), Exhibit 2 (Bristow et al., 94 Circulation 2807-2816 (1996)), Exhibit 3 (Gilbert et al., 94 Circulation 2817-2825 (1996)), and Exhibit 4 (Shakar et al., 31 JACC 1336-1340 (1998)); <u>Exhibit J</u>: Affidavit of Dr. Nadia S. Giannetti sworn January 30, 2002 (Canada, Federal Court-Trial Division, Court No. 1871-01), pp. 351-371, further including: Exhibit 1: Curriculum vitae, pp. 372-384; Exhibit 2: Notice of Allegation, pp. 385-396; Exhibit 3: Canadian Letters Patent No. 2,212,548, pp. 397-428; Exhibit 4: List of prior art referenced in Notice of Allegation, pp. 429-438; <u>Exhibit K</u>: Transcript of cross-examination of Dr. Giannetti taken on June 21, 2002 (Canada, Federal Court-Trial Division, Court No. 1871-01), pp. 439-529.</p>	
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	120.	<p>Applicants' Record Volume 2 of 6 filed in GlaxoSmithKline Inc., and Smithkline Beecham Corporation v. The Minister of Health and Pharmascience Inc., Court No. T-1871-00 (Canada), containing an Index and:</p> <p><u>Exhibit L</u>: Affidavit of Patricia N. Jansons sworn January 24, 2002 (Canada, Federal Court-Trial Division, Court No. 1871-01), pp. 530-540, further including: <u>Exhibit A</u>: Certified copy of Canadian Letters Patent No. 1,259,071, pp. 541-583; <u>Exhibit B</u>: Certified copy of the Abstract of Title for Canadian Letters Patent No. 1,259,071, pp. 584-585; <u>Exhibit C</u>: Certified copy of Canadian Letters Patent No. 2,212,548, pp. 586-617; <u>Exhibit D</u>: Certified copy of the Abstract of Title for Canadian Letters Patent No. 2,212,548, pp. 618-619; <u>Exhibit E</u>: Copy of CPS entry for COREG™, pp. 620-625; <u>Exhibit F</u>: Copies of the 76 prior art references listed as paragraphs 1 to 13 and Appendix A of the Notice of Allegation (Tabs 1-46), pp. 626-1022.</p>	
	121.	<p>Applicants' Record Volume 3 of 6 filed in GlaxoSmithKline Inc., and Smithkline Beecham Corporation v. The Minister of Health and Pharmascience Inc., Court No. T-1871-00 (Canada), containing an Index and:</p> <p><u>Exhibit L</u> (cont.): <u>Exhibit F</u>: Copies of the 76 prior art references listed at paragraphs 1 to 13 and Appendix A of the Notice of Allegation (Tabs 47-76), pp. 1023-1186; <u>Exhibit M</u>: Affidavit of Dr. Mary Ann Lukas sworn January 30, 2002 (Canada, Federal Court-Trial Division, Court No. 1871-01), pp. 1187-1212, further including: <u>Exhibit A</u>: Curriculum vitae, pp. 1214-1221, <u>Exhibit B</u>: Canadian Letters Patent No. 2,212,548, pp. 1222-1253; <u>Exhibit C</u>: German Patent Application No. 19503995.5 dated February 8, 1995, pp. 1254-1260; <u>Exhibit D</u>: English translation of German Application, pp. 1261-1267; <u>Exhibit E</u>: U.S. Patent Application No. 08/483,635 dated June 7, 1995, pp. 1268-1290; <u>Exhibit F</u>: Notice of Allegation, pp. 1291-1302; <u>Exhibit G</u>: Loeb publication, 1993, pp. 1303-1313; <u>Exhibit H</u>: DiBianco publication, 1989, pp. 1314-1321; <u>Exhibit I</u>: Packer publication, 1991, pp. 1322-1330; <u>Exhibit J</u>: Feldman publication, 1993, pp. 1331-1338; <u>Exhibit K</u>: Results of Xamoterol Trial, pp. 1339-1345; <u>Exhibit L</u>: Results of Metoprolol in Dilated Cardiomyopathy (MDC) Trial, pp. 1346-1352; <u>Exhibit M</u>: Results of the CIBIS I Trial, pp. 1353-1362; <u>Exhibit N</u>: Results of the U.S. Carvedilol Trials, pp. 1363-1370; <u>Exhibit O</u>: Pfeffer editorial on U.S. Carvedilol Trials, pp. 1371-1373; <u>Exhibit P</u>: Results of COPERNICUS Trial, pp. 1374-1382; <u>Exhibit Q</u>: Further commentary on prior art, pp. 1383-1393.</p>	

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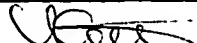
	122.	<p>Applicants' Record Volume 4 of 6 filed in GlaxoSmithKline Inc., and Smithkline Beecham Corporation v. The Minister of Health and Pharmascience Inc., Court No. T-1871-00 (Canada), containing an Index and:</p> <p><u>Exhibit N</u>: Transcript of cross-examination of Dr. Lukas taken on July 12, 2002 (Canada, Federal Court-Trial Division, Court No. T-1871-01), pp. 1394-1795, further including Exhibit 1 (SmithKline Beecham Pharm., SK&F 105517/Carvedilol, protocol 220 (October 20, 1993), Exhibit 2 (SmithKline Beecham Pharm., SK&F 105517/Carvedilol, protocol 221 (October 20, 1993)), Exhibit 3 (SmithKline Beecham Pharm., SK&F 105517/Carvedilol, protocol 239 (June 9, 1994)), Exhibit 4 (SmithKline Beecham Pharm., SK&F 105517/Carvedilol, protocol 240 (January 25, 1994));</p> <p><u>Exhibit O</u>: Affidavit of Dr. John Parker sworn January 31, 2002 (Canada, Federal Court-Trial Division, Court No. T-1871-01), pp. 1796-1828, further including: <u>Exhibit A</u>: Curriculum vitae, pp. 1829-1851; <u>Exhibit B</u>: Notice of Allegation, pp. 1852-1863; <u>Exhibit C</u>: Canadian Letters Patent No. 2,212,548, pp. 1864-1896; <u>Exhibit D</u>: Glossary of medical terms, pp. 1897-1903; <u>Exhibit E</u>: Results of U.S. Carvedilol Trials, pp. 1904-1910; <u>Exhibit F</u>: Results of Metoprolol in Dilated Cardiomyopathy (MDS) Trials, pp. 1911-1917; <u>Exhibit G</u>: Results of CIBIS I Trial, pp. 1918-1927; <u>Exhibit H</u>: Pfeffer editorial on U.S. Carvedilol Trials, pp. 1928-1930; <u>Exhibit I</u>: Results of COPERNICUS Trial, pp. 1931-1939; <u>Exhibit J</u>: Results of BEST Trial, pp. 1940-1949; <u>Exhibit K</u>: Further commentary on prior art, pp. 1950-1959;</p> <p><u>Exhibit P</u>: Transcript of cross-examination of Dr. Parker taken on July 3, 2002, pp. 1960-2082.</p>	
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	123.	<p>Applicants' Record Volume 5 of 6 filed in GlaxoSmithKline Inc., and Smithkline Beecham Corporation v. The Minister of Health and Pharmascience Inc., Court No. T-1871-00, containing an Index and:</p> <p><u>Exhibit Q</u>: Affidavit of Dr. Bertram Pitt sworn April 1, 2002 (Canada, Federal Court-Trial Division, Court No. T-1871-01), pp. 2083-2121, further including <u>Exhibit A</u>: <i>Curriculum vitae</i>, pp. 2122-2193; <u>Exhibit B</u>: Comparison document prepared by Hitchman & Sprigings, pp. 2194-2209;</p> <p><u>Exhibit R</u>: Transcript of cross-examination of Dr. Pitt taken on June 24, 2002 (Canada, Federal Court-Trial Division, Court No. T-1871-01), pp. 2210-2284;</p> <p><u>Exhibit S</u>: Affidavit of Dr. Robert Rangno sworn April 1, 2002 (Canada, Federal Court-Trial Division, Court No. T-1871-01), pp. 2285-2324, further including <u>Exhibit 1</u>: <i>Curriculum vitae</i>, pp. 2325-2342; Exhibits 2-4 not included: Documents struck by Canadian Court order dated June 11, 2002</p> <p><u>Exhibit T</u>: Transcript of cross-examination of Dr. Rangno taken on June 26, 2002 (Canada, Federal Court-Trial Division, Court No. T-1871-01), pp. 2346-2411;</p> <p><u>Exhibit U</u>: Affidavit of Patrick Taylor sworn April 2, 2002 (Canada, Federal Court-Trial Division, Court No. T-1871-01), pp. 2412-2414, further including: <u>Exhibit A</u>: Product Monograph for COREG™ (carvedilol), pp. 2415-2419; <u>Exhibit B</u>: Further Detailed Information of the Prior Art References found in Appendix "A" to the Pharmascience Notice of Allegation, pp. 2420-2463; Exhibits C-F not included: Documents struck by Canadian Court order dated June 11, 2002;</p> <p><u>Exhibit V</u>: Affidavit of Dr. Lawrence Zisman sworn April 1, 2002 (Canada, Federal Court-Trial Division, Court No. T-1871-01), pp. 2469-2490, further including: <u>Exhibit A</u>: <i>Curriculum vitae</i>, pp. 2491-2504; <u>Exhibit B</u>: Comparison document prepared by Hitchman & Sprigings, pp. 2505-2521;</p> <p><u>Exhibit W</u>: Transcript of cross-examination of Dr. Zisman taken on July 10, 2002, pp. 2522-2592.</p>	
	124.	<p>Applicants' Record Volume 6 of 6 filed in GlaxoSmithKline Inc., and Smithkline Beecham Corporation v. The Minister of Health and Pharmascience Inc., Court No. T-1871-00, further including:</p> <p><u>Exhibit X</u>: Written Representations, Applicants' Memorandum of Fact and Law, pp. 2593-2623.</p>	

Examiner Signature		Date Considered	4-22-05
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/721,020
				Filing Date	November 25, 2003
				First Named Inventor	Lukas-Laskey et al.
				Art Unit	1614
				Examiner Name	K. Weddington
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16	125.	<p>Affidavit of Edwin J. Gale, March 8, 2002, filed in Hoffmann-La Roche Limited, and Smithkline Beecham Corporation v. The Minister of Health, and Novopharm Limited, Court No. T-84-02, further including:</p> <p><u>Exhibit A</u>: Copy of Canadian Letters Patent No. 2,212,548;</p> <p><u>Exhibit B</u>: Notice of Allegation dated November 28, 2001 from Novapharm Limited to Hoffmann-La Roche;</p> <p><u>Exhibit C</u>: Chart of Edwin J. Gale illustrating various claim types used to cover pharmaceuticals including first and second medical uses and pharmaceuticals;</p> <p><u>Exhibit D</u>: Practice Notice regarding Chemical Patent Practice from the Canadian Patent Office Record of May 9, 1989;</p> <p><u>Exhibit E</u>: Copy of section on Method of Use and Use claims from the Canadian Manual of Patent Office Practice dated March 1998;</p> <p><u>Exhibit F</u>: Copy of Canadian Patent No. 2,212,548 claims grouped by type.</p>	
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Sheet	18	of	24	Attorney Docket Number	04012.0385-00000

126.		<p>Applicants' Record filed in GlaxoSmithKline Inc. and Smithkline Beecham Corporation v. Apotex Inc. and The Minister of Health, Court File No. T-2105-02 (Canadian Federal Court-Trial Division), containing an Index and:</p> <p><u>Exhibit A</u>: Apotex Inc. Notice of Allegation dated November 1, 2003, pp. 1-2; <u>Exhibit B</u>: Notice of Application dated December 16, 2002, pp. 3-13; <u>Exhibit C</u>: Apotex Inc. Notice of Appearance dated December 20, 2002, pp. 14-16; <u>Exhibit D</u>: Minister of Health Notice of Appearance dated December 31, 2002, pp. 17-18; <u>Exhibit E</u>: Affidavit of Lidia O. Derewlany sworn on February 14, 2003, pp. 19-23, further including: Exhibit 1: Canadian Patent No. 2,212,548, pp. 24-54; Exhibit 2: Abstract of title for Canadian Patent No. 2,212,548, pp. 55-56; Exhibit 3: German Patent Application No. 19503995.5, pp. 57-63; Exhibit 4: English translation of German Patent Application No. 19503995.5, pp. 64-70; Exhibit 5: U.S. Patent Application No. 08/483,635, pp. 71-92; Exhibit 6: Notice of Compliance dated February 17, 1995 and approved product monograph for Kredex tablets, pp. 93-115; Exhibit 7: Cover page of the S/NDS dated December 13, 1995 for CoregTM tablets (redacted), pp. 116-118; Exhibit 8: Correspondence from Viera Pastorek, Health Canada, dated January 10, 1996, pp. 119-121; Exhibit 9: Notice of Compliance dated September 30, 1996, pp. 122-160; Exhibit 10: Health Canada Patent Lists filed by Hoffmann-LaRoche for CoregTM tablets, pp. 161-165; Exhibit 11: Cover page for the September 13, 2001 S/NDS filed by GlaxoSmithKline Inc., pp. 166-167; Exhibit 12: Correspondence from A. Minkiewicz-Janda dated October 29, 2001, pp. 168-171; Exhibit 13: Health Canada Patent Lists filed by GlaxoSmithKline Inc., pp. 172-176; Exhibit 14: Notice of Compliance dated April 10, 2002 and approved product monograph for CoregTM tablets, pp. 177-227; <u>Exhibit F</u>: Transcript of cross-examination of Lidia O. Derewlany taken April 24, 2003, pp. 229-269; <u>Exhibit G</u>: Correspondence dated May 23, 2003 for Ogilvy Renault to Goodmans LLP, pp. 270-271; <u>Exhibit H</u>: Affidavit of Dianne Kathleen Grisé sworn on February 14, 2003, pp. 272-275; <u>Exhibit I</u>: Transcript of cross-examination of Dianne Kathleen Grisé taken May 6, 2003, pp. 276-312; <u>Exhibit J</u>: Affidavit of Bernard Sherman sworn on March 7, 2003, pp. 313-315; <u>Exhibit K</u>: Written Representations, memorandum of Fact and Law, of GlaxoSmithKline and SmithKline Beecham Corporation dated June 5, 2003, pp. 316-346.</p>
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Examiner Signature		Date Considered	4-22-05
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				Art Unit	1614
				Examiner Name	K. Weddington
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	127.	<p>Applicants' Record, Volume 1 of 7, filed in Hoffmann-La Roche Limited and Smithkline Beecham Corporation v. The Minister of Health and Novopharm Limited, Court No. T-84-02 (Canadian Federal Court-Trial Division), containing an Index and:</p> <p><u>Exhibit A</u>: Novopharm Limited Notice of Allegation dated November 28, 2001, pp. 1-20; <u>Exhibit B</u>: Notice of Application issued January 16, 2002, pp. 21-36; <u>Exhibit C</u>: Novopharm Limited Notice of Appearance dated January 18, 2002, pp. 37-39; <u>Exhibit D</u>: Minister of Health Notice of Appearance dated January 24, 2002, pp. 40-41; <u>Exhibit E</u>: Order of Prothonotary Lafrenière dated February 11, 2002, pp. 42-44; <u>Exhibit F</u>: Confidentiality Order of Prothonotary Lafrenière dated February 11, 2002, pp. 45-52; <u>Exhibit G</u>: Correspondence dated February 18, 2002 from Heenan Blaikie, counsel for the Respondent, Novopharm Limited to Ogilvy Renault, counsel for the Applicants, pp. 53-55; <u>Exhibit H</u>: Order of Prothonotary Lafrenière dated November 4, 2002, pp. 56-57; <u>Exhibit I</u>: Correspondence dated January 27, 2003 from Heenan Blaikie, counsel for the Respondent, Novopharm Limited to Ogilvy Renault, counsel for the Applicants, pp. 53-57a; <u>Exhibit J</u>: Affidavit of Patrica N. Jansons sworn March 4, 2002, pp. 58-72, further including: <u>Exhibit A</u>: Certified copy of Canadian Letters Patent No. 1,259,071, pp. 73-115; <u>Exhibit B</u>: Certified copy of the Abstract of Title for Canadian Letters Patent No. 1,259,071, pp. 116-117; <u>Exhibit C</u>: Certified copy of Canadian Letters Patent No. 2,212,548, pp. 118-146; <u>Exhibit D</u>: Certified copy of the Abstract of Title for Canadian Letters Patent No. 2,212,548, pp. 147-148; <u>Exhibit E</u>: Copy of CPS entry for COREG™, pp. 149-154; <u>Exhibit F</u>: Copies of the 104 prior art references listed at page 5 & 6 and Appendix A & B of the Novopharm Notice of Allegation, pp. 155-534.</p>	
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				Art Unit	1614
				Examiner Name	K. Weddington
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<p>Vlu</p>	<p>128.</p>	<p>Applicants' Record, Volume 3 of 7, filed in Hoffmann-La Roche Limited, and Smithkline Beecham Corporation v. The Minister of Health and Novopharm Limited, Court No. T-84-02, further including:</p> <p><u>Exhibit K</u>: Affidavit of Dr. Mary Ann Lukas sworn March 7, 2002, pp. 1026-1059, further including: <u>Exhibit A</u>: Curriculum vitae, pp. 1060-1067; <u>Exhibit B</u>: Canadian Letters Patent No. 2,212,548, pp. 1068-1105; <u>Exhibit C</u>: German Patent Application No. 19503995.5 dated February 8, 1995, pp. 1106-1112; <u>Exhibit D</u>: English translation of German Application, pp. 1113-1119; <u>Exhibit E</u>: U.S. Patent Application No. 08/483,635 dated June 7, 1995, pp. 1120-1141; <u>Exhibit F</u>: Novopharm Notice of Allegation (Nov. 28, 2001), pp. 1142-1162; <u>Exhibit G</u>: Loeb et al., 87 Circulation VI-78 to VI-87 (1993), pp. 1163-1173; <u>Exhibit H</u>: DiBianco et al., 320 N.E.J. Med. 677-683 (1989), pp. 1174-1181; <u>Exhibit I</u>: Packer et al., 325 N.E.J. Med. 1468-1475 (1991), pp. 1182-1190; <u>Exhibit J</u>: Feldman et al., 329 N.E.J. Med. 149-155 (1993), 1191-1198; <u>Exhibit K</u>: Results of Xamoterol Trial, 336 Lancet 1-6 (1990), pp. 1199-1205; <u>Exhibit L</u>: Results of the Metoprolol in Dilated Cardiomyopathy (MDS) Trial, 342 Lancet 1441-46 (1993), pp. 1206-1212; <u>Exhibit M</u>: Results of the CIBIS I Trial, 90 Circulation 1765-1773 (1994), pp. 1213-1222; <u>Exhibit N</u>: Results of the U.S. Carvedilol Trials, 334 N.E.J. Med. 1349-1355, pp. 1223-1230; <u>Exhibit O</u>: Pfeffer editorial on U.S. Carvedilol Trials 334 N.E.J. Med. 1396-1397, pp. 1231-1233; <u>Exhibit P</u>: Results of COPERNICUS Trial, 344 N.E.J. Med. 1651-1658, pp. 1234-1242; <u>Exhibit Q</u>: Further commentary on prior art, pp. 1243-1256; <u>Exhibit L</u>: Transcript of cross-examination of Dr. Lukas taken on January 28, 2003, pp. 1257-1333;</p> <p><u>Exhibit M</u>: Affidavit of Dr. William T. Abraham sworn March 8, 2002, pp. 1334-1382, further including: <u>Exhibit A</u>: Curriculum vitae, pp. 1383-1428; <u>Exhibit B</u>: Notice of Allegation (pp. 3-19), pp. 1429-1449; <u>Exhibit C</u>: Canadian Letters Patent No. 2,212,548, pp. 1450-1481; <u>Exhibit D</u>: Glossary of medical terms, pp. 1482-1488, <u>Exhibit E</u>: Further commentary on prior art, pp. 1489-1506;</p> <p><u>Exhibit N</u>: Transcript of cross-examination of Dr. Abraham taken on November 26, 2002, pp. 1507-1628, further including: Exhibit 1: Abraham et al., 39 Advances in Internal Medicine, 22-47 (1994); Exhibit 2: Results of CONSENSUS Trial, 316 N.E.J. Med. 1429-1435 (1987); Exhibit 3: Bristow et al., 94 Circulation, 2807-16 (1996); Exhibit 4: Shaker et al., 31 JACC 1336-1340 (1998), Exhibit 5: Gilbert et al., 94 Circulation 2817-25 (1996); Exhibit 6: Abraham et al., 22 Hepatology, 737-743 (1995).</p>
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Examiner Signature	<i>[Signature]</i>	Date Considered	4-22-05
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	129.	<p>Applicants' Record, Volume 4 of 7, filed in Hoffmann-La Roche Limited, and Smithkline Beecham Corporation v. The Minister of Health, and Novopharm Limited, Court No. T-84-02, containing an Index and:</p> <p><u>Exhibit O</u>: Affidavit of Dr. Nadia S. Giannetti sworn March 8, 2002, pp. 1629-1656, further including Exhibit 1: <i>Curriculum vitae</i>, pp. 1657-1669; Exhibit 2: Novopharm Notice of Allegation (Nov. 28, 2001), pp. 1670-1690; Exhibit 3: Canadian Letters Patent No. 2,212,548, pp. 1691-1723; Exhibit 4: List of prior art referenced in Notice of Allegation, pp. 1724-1737; Exhibit 5: Correspondence from Heenan Blaikie to Ogilvy Renault dated February 18, 2002, pp. 1739-1742;</p> <p><u>Exhibit P</u>: Transcript of cross-examination of Dr. Giannetti taken on December 20, 2002, pp. 1743-1842, further including Exhibit 1: Johnstone et al., 10 Can. J. Cardiol 613-631 (1994); Exhibit 2: Giannetti et al., 107 Am. J. Med., 228-233 (1999); Exhibit 3: Cecere et al., Can J Cardiol, Vol. 17, Supp C, Abstract 272 (Sept. 2001); Exhibit 4: Cecere et al., Can J Cardiol, Vol. 17, Supp C, Abstract 376 (Sept. 2001); Exhibit 5: Cantarovich et al., J. Heart Lung Trans, Vol 20(2), Abstract 246 (2001); Exhibit 6: Cantarovich et al., J. Heart Lung Trans, Vol 20(2), Abstract 166 (2001);</p> <p><u>Exhibit Q</u>: Affidavit of Dr. Mark Lautens sworn March 8, 2002, pp. 1843-1847, further including <u>Exhibit A</u>: <i>Curriculum vitae</i>, pp. 1848-1877; <u>Exhibit B</u>: Novopharm Notice of Allegation (Nov. 28, 2001), pp. 1878-1898; <u>Exhibit C</u>: Canadian Letters Patent No. 1,259,071, pp. 1899-1941;</p> <p><u>Exhibit R</u>: Affidavit of Edwin Gale sworn March 8, 2002, pp. 1942-1951, further including: <u>Exhibit A</u>: Copy of Canadian Letters Patent No. 2,212,548, pp. 1952-1983; <u>Exhibit B</u>: Novopharm Notice of Allegation (Nov. 28, 2001), pp. 1984-2004; <u>Exhibit C</u>: Chart illustrating various claim types used to cover pharmaceuticals, pp. 2005-2006; <u>Exhibit D</u>: Practice Notice regarding Chemical Patent Practice taken from the Canadian Patent Office Record of May 9, 1989, pp. 2007-2008; <u>Exhibit E</u>: Section 11.10.02 entitled "Method of Use and Use Claims" from the Canadian Manual of Patent Office Practice, pp. 2009-2013; <u>Exhibit F</u>: Canadian Letters Patent No. 2,212,548 claims grouped by type, pp. 2014-2015.</p>	
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				Art Unit	1614
				Examiner Name	K. Weddington
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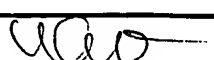
16	130.	<p>Applicants' Record, Volume 5 of 7, filed in Hoffmann-La Roche Limited, and Smithkline Beecham Corporation v. The Minister of Health, and Novopharm Limited, Court No. T-84-02, containing an Index and:</p> <p><u>Exhibit S</u>: Affidavit of Dr. John Parker sworn March 11, 2002, pp. 2016-2054, further including: <u>Exhibit A</u>: Curriculum vitae, pp. 2055-2077; <u>Exhibit B</u>: Notice of Allegation, pp. 2078-2098; <u>Exhibit C</u>: Canadian Letters Patent No. 2,212,548, pp. 2099-2130; <u>Exhibit D</u>: Glossary of medical terms, pp. 2131-2137; <u>Exhibit E</u>: Packer et al., 334 N.E.J. Med. 1349-1355 (1996), pp. 2138-2145; <u>Exhibit F</u>: Results of the Metoprolol in Dilated Cardiomyopathy (MDC) Trial 342 Lancet 1441-1446 (1993), pp. 2146-2152; <u>Exhibit G</u>: Results of CIBIS I Trial 90 Circulation, 1765-1773 (1994), pp. 2153-2162; <u>Exhibit H</u>: Pfeffer editorial on U.S. Carvedilol Trials, 334 N.E.J. Med. 1396-1397 (1996), pp. 2163-2165; <u>Exhibit I</u>: Results of COPERNICUS Trial, 344 N.E.J. Med. 1651-1658 (2001), pp. 2166-2174; <u>Exhibit J</u>: Results of BEST Trial, 334 N.E.J. Med. 1659-1667 (2001), pp. 2175-2184; <u>Exhibit K</u>: Further commentary on prior art, pp. 2185-2196; <u>Exhibit T</u>: Transcript of cross-examination of Dr. Parker taken on December 18, 2002, pp. 2197-2364, further including Exhibit 1: Johnstone et al., 10 Can. J. Cardiol 613-631 (1994); Exhibit 2: Parker, 19 Eur. Heart J. Suppl. I 115-119 (1998); Exhibit 3: Rapaport et al., 101 Am. J. Med. 4A-61S-4A70S (1996); Exhibit 4: Al-Hesayen et al., 39 JACC 1269-1274 (2002); Exhibit 5: Azevedo et al., Circulation 2053-2056 (2000); Exhibit 6: Parker et al., 84 Circulation 1040-1048 (1991); Exhibit 7: Azevedo et al., 33 JACC 186-191 (1999); Exhibit 8: Azevedo et al., Circulation 274-279 (1999);</p> <p><u>Exhibit U</u>: Affidavit of Dr. Ian Winterborn sworn March 11, 2002, pp. 2365-2380, further including: <u>Exhibit A</u>: Curriculum vitae, pp. 2381-2385; <u>Exhibit B</u>: Notice of Allegation (Nov. 28, 2001), pp. 2386-2406; <u>Exhibit C</u>: Notice of Application, pp. 2407-2423; <u>Exhibit D</u>: Canadian Letters Patent No. 2,212,548, pp. 2424-2455; <u>Exhibit E</u>: Canadian Letters Patent No. 1,259,071, pp. 2456-2498; <u>Exhibit F</u>: Canadian Letters Patent No. 1,129,416, pp. 2499-2548; <u>Exhibit G</u>: United States Letters Patent No. 4,503,067, pp. 2549-2559.</p>
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Examiner Signature	<i>[Signature]</i>	Date Considered	4-12-05
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	131.	<p>Applicants' Record, Volume 6 of 7, filed in Hoffmann-La Roche Limited, and Smithkline Beecham Corporation v. The Minister of Health, and Novopharm Limited, Court No. T-84-02, containing an Index and:</p> <p><u>Exhibit V</u>: Affidavit of Dr. Mitchell Arnold Henry Levine sworn August 15, 2002, pp. 2560-2583, further including: <u>Exhibit A</u>: <i>Curriculum vitae</i>, pp. 2584-2614;</p> <p><u>Exhibit W</u>: Transcript of cross-examination of Dr. Mitchell Arnold Henry Levine taken on November 29, 2002, pp. 2615-2673, further including <u>Exhibit A</u>: Book entitled "Drugs of Choice: A Formulary for General Practice" (Canadian Medical Association: Toronto, 1995), pp. 2674-2849;</p> <p><u>Exhibit X</u>: Affidavit of Dr. Michael Bohm sworn August 16, 2002, pp. 2850-2875, further including <u>Exhibit A</u>: <i>Curriculum vitae</i>, pp. 2876-2980;</p> <p><u>Exhibit Y</u>: Transcript of cross-examination of Dr. Michael Bohm taken on December 9, 2002, pp. 2981-3028, further including: Exhibit 1: Article entitled "Different Intrinsic Activities of Bucidolol, Carvedilol and Metoprolol in Human Failing Myocardium," British Journal of Pharmacology (2000), 130, 1131-1139, pp. 3029-3037; Exhibit 2: Article entitled "Prospective Crossover Comparison of Carvedilol and Metoprolol in Patients with Chronic Heart Failure," American College of Cardiology, 38(4), 934-46 (2001), pp. 3038-3045; Exhibit 3: "β-Blocker Treatment of Chronic Heart Failure with Special Regard to Carvedilol" from book entitled "Heart Rate is a Determinant of Cardiac Function - Basic Mechanism and Clinical Significance," G. Hasenfuss et al. ed. (Steinkopff Verlag Darmstadt 2000) pp. 3046-3067.</p> <p><u>Exhibit Z</u>: Affidavit of Dr. Robert Rangno sworn August 20, 2002, pp. 3068-3094, further including <u>Exhibit A</u>: <i>Curriculum vitae</i>, pp. 3095-3102.</p> <p><u>Exhibit AA</u>: Transcript of cross-examination of Dr. Rangno taken on November 15, 2002, pp. 3103-3152.</p>	
	132.	<p>Affidavit of Dr. Mark Lautens filed in GlaxoSmithKline Inc., and Smithkline Beecham Corporation v. The Minister of Health, and Apotex Inc., Court No. T-149-02, further including:</p> <p><u>Exhibit A</u>: <i>Curriculum vitae</i>;</p> <p><u>Exhibit B</u>: December 12, 2001 Notice of Allegation from Apotex Inc. to Smithkline Beecham Pharma Inc.;</p> <p><u>Exhibit C</u>: Canadian Letters Patent No. 1,259,071;</p>	
	133.	<p>Notice of Application filed in GlaxoSmithKline Inc., and Smithkline Beecham Corporation v. The Minister of Health, and Apotex Inc., Court No. T-149-02.</p>	
	134.	<p>Record of the Respondent, Apotex Inc., filed in GlaxoSmithKline Inc. and Smithkline Beecham Corporation v. The Minister of Health and Apotex Inc., Court File No. T-149-02, further including:</p> <p>Exhibit 1: Memorandum of Fact and Law of the Respondent, Apotex Inc.</p>	

Examiner Signature		Date Considered	11-22-05
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16	135.	Reasons for Order and Order, filed in GlaxoSmithKline Inc. and Smithkline Beecham Corporation v. The Minister of Health and Pharmascience Inc., Court No. T-1871-01.	
16	136.	Amended Reasons for Order and Order, filed in GlaxoSmithKline Inc. and Smithkline Beecham Corporation v. The Minister of Health and Pharmascience Inc., Court No. T-1871-01.	

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